

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference see form PCT/ISA/220		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/GB2004/005192	International filing date (day/month/year) 08.12.2004	Priority date (day/month/year) 11.12.2003
International Patent Classification (IPC) or both national classification and IPC G08B13/10, G08B13/12, G08B13/20		
Applicant McRAE, John		

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☒ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application



2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:	Authorized Officer
 <p>European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016</p>	<p>De la Cruz Valera, D</p> <p>Telephone No. +31 70 340-4541</p> 

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

10/580905

International application No.
PCT/GB2004/005192

1AP20 Rec'd PCT/PTO 26 MAY 2006

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

Box No. II Priority

1. ☒ The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43bis.1 and 64.1) is the claimed priority date.
2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

**WRITTEN OPINION OF THE
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International application No.
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Box No. IV Lack of unity of invention

1. ☐ In response to the invitation (Form PCT/ISA/206) to pay additional fees, the applicant has:
- ☐ paid additional fees.
 - ☐ paid additional fees under protest.
 - ☐ not paid additional fees.
2. ☒ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is
- ☐ complied with
 - ☒ not complied with for the following reasons:
see separate sheet
4. Consequently, this report has been established in respect of the following parts of the international application:
- ☒ all parts.
 - ☐ the parts relating to claims Nos.

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-36
	No: Claims	
Inventive step (IS)	Yes: Claims	1-34
	No: Claims	35-36
Industrial applicability (IA)	Yes: Claims	1-36
	No: Claims	

2. Citations and explanations

see separate sheet

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

PCT/GB2004/005192

Re Item IV.

The present Authority has found two groups of inventions not linked so as to form a single general inventive concept (R. 13 PCT). These groups being

- I Claims 1-34, relating to a wall security system comprising attachment composed of two overlapping portions.
- II Claims 35-36, relating to a wall security system with an air line inserted in guides between two parts of an attachment.

To the first (group of) invention (s), the closest prior art has been identified to be:

D1 : GB 2 349 727 A (JOHN MCRAE) 8 November 2000 (2000-11-08)

D1 discloses (the references in parentheses applying to this document) a security system comprising an attachment (See Fig. 1) for mounting on a wall or other perimeter barrier (2), the attachment having first and second parts (4,6), the first part (4) being fixable to the wall or barrier (Fig. 2) and the second part (6) being mounted for relative movement (Fig. 5) on said first part upon application of a force thereto whereby movement of the second part generates a signal to activate a visual and/or audible alarm (See cl. 1).

From this, the subject-matter of independent claim 1 differs in that the second part has at least one pair of opposing members for partially overlapping a side of the first part so as to retain said second part, the second part being sized so as to allow a limited range of movement with respect to said first part without its release therefrom.

The problem solved by the first independent claim (cl. 1) may be regarded as a how to simplify the structure of the two parts of the attachment in D1.

With respect to the second group (Cl. 35-36), The features that represent a contribution to the state of the art would be the presence of an air line between said first and second parts to detect said movement, the air line being located on guides provided on said first or second parts.

The problem solved by this second group of claims (35-36) may be regarded as how to provide a sensing element that would generate the triggering of the alarm.

As can readily be seen, there is no relationship between the features that make a technical contribution over the prior art (that is they are not the same) nor with the problems they solve, being these features not corresponding.

The requirement of Unity of invention (R. 13 PCT) is not complied with.

Re Item V.

A. To the first group of inventions (Cl. 1-34):

A.1 Reference is made to the following documents:

D1 : GB 2 349 727 A (JOHN * MCRAE) 8 November 2000 (2000-11-08)

A.2 Document D1, which is considered to represent the most relevant state of the art, discloses (the references in parentheses applying to this document) a security system comprising an attachment (See Fig. 1) for mounting on a wall or other perimeter barrier (2), the attachment having first and second parts (4,6), the first part (4) being fixable to the wall or barrier (Fig. 2) and the second part (6) being mounted for relative movement (Fig. 5) on said first part upon application of a force thereto whereby movement of the second part generates a signal to activate a visual and/or audible alarm (See cl. 1).

From this, the subject-matter of independent claim 1 differs in that the second part has at least one pair of opposing members for partially overlapping a side of the first part so as to retain said second part, the second part being sized so as to allow a limited range of movement with respect to said first part without its release therefrom.

A.2.1 The subject-matter of claim 1 is therefore novel (Article 33(2) PCT). The problem to be solved by the present invention may be regarded as a how to simplify the structure of the two parts of the attachment in D1.

**WRITTEN OPINION OF THE
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International application No.

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A.2.2 The solution to this problem proposed in claim 1 of the present application is

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A.2.3 Claims 2-34 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

B. To the second group of inventions (Cl. 35-36):

B.1 Reference is made to the following documents:

D1 : GB 2 349 727 A (JOHN * MCRAE) 8 November 2000 (2000-11-08)

D2: US-A-5 548 275 (SHAMBAYATI ET AL) 20 August 1996 (1996-08-20)

B.2. The subject matter of claim 35 does not involve an inventive step (Art. 33(3) PCT)

To the subject matter of claim 35, D1, closest state of the art, discloses a security system comprising an attachment for mounting on a wall or other perimeter barrier, the attachment having first and second parts (4, 6), the first part (4) being mountable on the wall and the second part (6) being mounted for relative movement on said first part upon application of a force thereto (See Fig. 5) whereby movement of the second part generates a signal to activate a visual and/or audible alarm

The subject matter of Claim 35 differs from the disclosure of D1 in that, in the claim, an air line is provided between said first and second parts to detect said movement, the airline being located on guides provided on said first or second parts.

Nevertheless, D1 discloses how a hollow tube (52) can be inserted in the system, in a longitudinal space (see cut view in Fig. 5) between said first and second parts. This

longitudinal space defined as in the figure constitute no other thing than guides in the sense claimed. Moreover, the person skilled in the art, seeking a practical realisation of the sensing means for triggering the alarm, would employ a standard sensing means in security systems where the application of pressure is to be detected, that is the detection of the variation of air pressure in an air line (see the disclosure of D2 hereto, for instance Col. 4, lines 37-41), and would therefore use the existing tube (52) as an air line able to detect the relative movement between the parts.

The subject matter of claim 35 lacks, thus the required inventive step (Art. 33(3) PCT).

B.3 Claim 36 does not incorporate any feature that might render the claim inventive.

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